

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

IAN LUCAS,)	
)	
Plaintiff,)	Case No. 3:24-cv-00440
)	
v.)	Judge Waverly Crenshaw
)	
MARY ANN JESSEE et al.,)	Magistrate Judge Newbern
)	
Defendants.)	

**DEFENDANTS' MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO
PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Fed. R. Civ. P. 6(b)(1), Defendants Mary Ann Jessee, Michelle Tellock, Joel Newsome, Melissa Porter, G.L. Black, Clairise Gamez, Neil Jamerson, Jeremy Bourgoin, Mavis Schorn, Pamela Jefferies, Marissa Shulruff, E. Jacob Cummings, Jill Harris, Heather Robbins, Cate Enstrom, Crystal Ritchie, Angela Weaver, Mary Roy, Michael Fazi, and Feylyn Lewis ("Defendants") respectfully request that the Court **extend by seven (7) days** their deadline to file a response to Plaintiff's April 25, 2024, motion for preliminary injunction. In support of this request, Defendants state as follows:

1. Plaintiff filed a 12-page, 172-paragraph Complaint on March 17, 2024. (Doc. No. 4.)
2. Plaintiff filed a 31-page, 137-paragraph Amended Complaint on March 30, 2024. (Doc. No. 1, Ex. B.) Plaintiff's March 30, 2024, Amended Complaint asserts 11 causes of action against 20 defendants.¹

¹¹ Seventeen Defendants are Vanderbilt faculty and staff members: Mary Ann Jessee, Michelle Tellock, Joel Newsome, Melissa Porter, G.L. Black, Neil Jamerson, Jeremy Bourgoin, Mavis Schorn, Pamela Jefferies, E. Jacob Cummings, Jill Harris, Heather Robbins, Cate Enstrom, Angela Weaver, Mary Roy, Michael Fazi, and Feylyn Lewis. Three Defendants are Vanderbilt students: Clairise Gamez, Crystal Ritchie, and Marissa Shulruff.

3. On March 31, 2024, Plaintiff filed a 59-page, 209-paragraph document also entitled “Amended Complaint,” but purporting to add 22 defendants. (Doc. No. 1, Ex. D at 2-60.) Plaintiff’s March 31, 2024, Amended Complaint asserts 15 causes of action against 42 defendants.²

4. On April 10, 2024, Defendants removed this case to this Court. (Doc. No. 1.)

5. On April 15, 2024, Plaintiff filed a motion for preliminary injunction (Doc. No. 8), simultaneously requesting “an order to seal the records” in this case, including the motion for preliminary injunction. (Doc. No. 6.)

6. On April 25, 2024, the Court denied Plaintiff’s motion to seal. (Doc. No. 14.) Later that day, Plaintiff moved to withdraw his motion for preliminary injunction (Doc. No. 15) and then filed another motion for preliminary injunction. (Doc. No. 16.)

7. Under Local Rule 7.01(a)(3), Defendants’ response to Plaintiff’s second motion for preliminary injunction is due Thursday, May 9, 2024.

8. On May 2, 2024, Plaintiff filed a motion for temporary restraining order. (Doc. No. 21.)

9. Five days later, on May 7, 2024, Plaintiff filed a motion to withdraw his motion for temporary restraining order (Doc. No. 25), then refiled a second motion for temporary restraining order later that same day (Doc. No. 26).

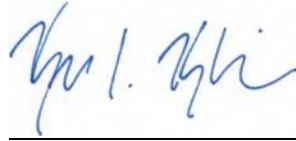
10. Defendants’ counsel worked extensively to prepare a response to Plaintiff’s motion for temporary restraining order, filing that response and accompanying documents on May 8, 2024. (Doc. Nos. 31, 32, 35.)

² Plaintiff contends that the March 31, 2024, Amended Complaint is the operative complaint. Defendants contend that the March 31, 2024, Amended Complaint is an improperly filed second amended complaint, filed without Defendants’ consent or leave of court. Defendants are preparing a motion to determine the operative complaint. Regardless, Plaintiff has yet to serve the 22 new defendants in the March 31, 2024, Amended Complaint.

11. Due to their efforts responding to Plaintiff's motion for temporary restraining order, Defendants' counsel have been unable to focus on their response to Plaintiff's motion for preliminary injunction. While the two motions overlap, Plaintiff raises additional issues in his motion for preliminary injunction. Accordingly, to respond fully and appropriately, Defendants seek an additional **seven (7) days** to file a response to Plaintiff's motion for preliminary injunction, making that response due on **Thursday, May 16, 2024**.

For the foregoing reasons, Defendants respectfully request that their deadline to respond to Plaintiff's motion for temporary restraining order be extended seven (7) days, to **Thursday, May 16, 2024**.

Respectfully submitted,



Kevin C. Klein (#23301)
KLEIN SOLOMON MILLS, PLLC
1322 4th Avenue North
Nashville, Tennessee 37208
(615) 600-4780
kevin.klein@kleinpllc.com

Counsel for Defendants Mary Ann Jessee, Michelle Tellock, Joel Newsome, Melissa Porter, G.L. Black, Neil Jamerson, Jeremy Bourgoin, Mavis Schorn, Pamela Jefferies, E. Jacob Cummings, Jill Harris, Heather Robbins, Cate Enstrom, Angela Weaver, Mary Roy, Michael Fazi, and Feylyn Lewis

s/ Denmark J. Grant

Mark A. Baugh, BPR No. 015779
Denmark J. Grant, BPR No. 036808
BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.
1600 West End Avenue, Suite 2000
Nashville, Tennessee 37203
Telephone (615) 726-5600
Facsimile (615) 744-5760

Attorneys for Defendants Clairise Gamez, Crystal Ritchie, and Marissa Shulruff

CERTIFICATE OF SERVICE

I certify that I filed the foregoing MOTION FOR EXTENSION on the Court's CM/ECF system on this 8th day of May, 2024, which forwarded a copy to:

Mark A. Baugh, BPR No. 015779
Denmark J. Grant, BPR No. 036808
BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.
1600 West End Avenue, Suite 2000
Nashville, Tennessee 37203
Telephone (615) 726-5600
Facsimile (615) 744-5760

*Attorneys for Defendants Clairise Gamez,
Crystal Ritchie, and Marissa Shulruff*

I certify that the foregoing MOTION FOR EXTENSION is being sent via electronic mail on this 8th day of May, 2024, to:

Ian Lucas
221 Charleston Avenue
Pleasant View, TN, 37126
(910) 872-3577 (telephone)
lucasianhunter@outlook.com

Plaintiff Pro Se



Kevin C. Klein